and Kashir, 1 would like to know from the Minister whether there has been any such erosion and if so the details thereof.

SHRI S. R.BALASUBRAMONIYAN: Sir, there is no such erosion whatsoever, There is no such erosion. *(Interruptons)*

SHRI S.B. CHAVAN: Sir, I would like to put a supplementary. At the time of accession of Jammu and Kashmir to the Indian Union there were only three subjects which, in fact, the Maharaja conceded at that time. Subsequently, a number of amendments to article 370 had to be undertaken at the instance of the Jammu and Kashmir Government itself. Now, there is a clamour that there is an erosion of powers which were there according to the original Instrument of Accession and there has been an erosion of autonomy of the State which was confined to only three States. Subsequent amendments—in fact, it is not an erosion—have been made at the instance of the Jammu & Kashmir Government itself. Now, the question arises that there is a clamour that these new things which had been added need to be cancelled, and, it should be brought back to 1952. That is the pwint which the Government of India has to consider. What is the thinking about this because I am not supposed to give all the information; *(Interruptons)*

SHRI SATISH AGARWAL. The supporting party has to support the answer. ... *(Interruptions)*...

THE PRIME MINISTER (SHRI H.D. DEVE GOWDA): I would like to clarify the position as it stands today. In both the Houses of Parliament on several occasions the Issue of article 370 has cropped up. The then prime Minister, late madam Gandhi, had made a categorical statement on the floor of the House so far as article 370 is concerned. And that statement is crystal clear. As you know Jammu and Kashmir is the only State which had constituted a separate Constituent Assembly for the State to determine its Constitution and the sphere of Union jurisdiction over the State. It was left to the Assembly to decide whether article 370 should remain or it should be modified or it should be abrogated. This is reflected in clause 3 of the article. That is why article 370 was called 'temporary'. The Constituent Assembly of the State had not given its decision by 1950 and the Constitution of this country was given effect to by that time. The Kashmir Assembly had not completed its proceedings by that time. The Constituent Assembly completed its work in 1956, but did not suggest deletion of or modification to article 370. Therefore, it has become a permanent part of the Constitution since 1956. This is where we stand. This is the position which we cannot reverse.

Counter Guarantee for Dabhol Power Project

*128. SHRI DIPANKAR MUKHERJEE: Will the PRIME MINISTER be pleased to state:

(a) whether counter guarantee given for Dabhol Power Project before its cancellation by the Maharashtra Government remained valid even after its cancellation;

(b) if not, whether the revised PPA sent after the negotiated settlement b> Maharashtra Government warrants fresh counter guarantee;

(c) if so, when was the fresh request by Government of Maharashtra for counter guarantee made; and

(d) the present status of counter guarantee for Dabhol Power Project?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (DR. S. VENUGOPALACHARI): (a) Yes, Sir.

(b) and (c) Do not arise.

(d) As replied at (a) above.